Dear Colleagues,

I am pleased to inform you that, at its October meeting, the Board of Trustees approved amendments to the Academic Articles proposed as part of a decennial review process. As you know, the Academic Articles define the structure of academic governance at the University and address issues such as the classification and appointment of faculty, the appointment and review of academic officers, and the composition and function of academic committees. The new Articles will become effective at the beginning of the next academic semester on January 13, 2009. A copy is available in the Faculty Handbook at the following link: http://facultyhandbook.nd.edu/history-and-governance.

The new version of the Articles is the culmination of an extensive decennial review process that involved consultation with a wide range of faculty at the University and represents the best of faculty governance and collaboration at Notre Dame. The process began in Fall 2006 when the Academic Council, pursuant to its authority under the Academic Articles, prescribed the manner in which the decennial review of the Articles would occur. Specifically, the Academic Council charged a Working Group composed of faculty and of representatives from the General Counsel’s and Provost’s offices to review the Articles and to propose revisions.

The Working Group started by examining the Articles closely and considering aspects that needed improvement or updating. With the benefit of this analysis, the Working Group developed a preliminary set of proposed changes to the Articles and shared these proposed changes in Spring 2007 with the Faculty Senate and the Faculty Affairs committee of the Academic Council for comment. In addition, the Working Group both shared the changes directly with the Deans, asking each to solicit feedback on the draft from their respective faculty, and posted the proposed changes online so that the faculty broadly could review the draft and submit comments individually. In Fall 2007, the Working Group discussed all of the suggestions
and comments received through these various avenues, revising the proposed changes as it considered appropriate in light of this feedback.

At the conclusion of this consultation and revision period, the Working Group officially proposed an amended version of the Academic Articles to the Academic Council, the body responsible for recommending such amendments to the Board of Trustees. The Faculty Affairs committee of the Academic Council evaluated the proposal and provided a report of this evaluation to the full Academic Council, which approved the proposal with some revisions and recommended adoption of the proposal to the Board of Trustees in Spring 2008. Fr. Jenkins endorsed the recommendation of the Academic Council and submitted the recommendation to the Board of Trustees on behalf of the faculty. The Board deliberated conscientiously and carefully on the proposed amendments to the Articles, ultimately approving the new Articles earlier this October.

I am thankful to all who participated in and contributed to this process. The resultant Articles improve upon already strong and sound principles of academic governance and administration at Notre Dame. A special note of gratitude is due to the members of the Working Group, whose conscientiousness and dedication were essential to the success of this process. The composition of the Working Group evolved over time, as administrative and representative roles changed during the course of this two-year process, but all of the following individuals rendered valuable service as members: Charles Barber (Art, Art History, and Design), as chair of the Administrative Affairs Committee of the Faculty Senate 2006-2007; Jill Bodensteiner, Associate Vice President and Senior Counsel; Seth Brown (Chemistry and Biochemistry), as chair of the Administrative Affairs Committee of the Faculty Senate 2007-2009; Nicole Garnett (Law), as chair of the Faculty Affairs Committee of Academic Council 2007-2009; Carol Kaesebier, former Vice President and General Counsel; Don Pope-Davis, Vice President and Associate Provost; Brandon Roach, Executive Assistant to the Provost; and Maura Ryan (Theology), as chair of the Faculty Affairs Committee of Academic Council 2006-2007.

I encourage you to review the new version of the Academic Articles. For those with questions about changes included in these Articles, the current members of the Working Group have agreed to be present for a question and answer session on Tuesday, November 4 from 8:30 to 9:30 a.m. in the McKenna Hall Auditorium. If you have questions but cannot attend the meeting, please contact Vice President and Associate Provost Don Pope-Davis (dpd@nd.edu; 1-5716), who will respond on behalf of the Working Group.

While many of the changes may not be of general interest to the faculty, there are a few that are worth mention here. Article III, Section 3 of the new Articles contains new provisions regarding notice periods in the event of non-renewal of faculty contracts. Teaching and Research Faculty who serve in administrative roles, Research Faculty, Library Faculty, and
Special Professional Faculty will want to make sure to review this section. One of the other changes is that—indeed, independent of the rank of professional specialist, associate professional specialist, and assistant professional specialist—Special Professional Faculty members may be designated as teaching professors, clinical professors, or professors of the practice in accordance with standards described in Article III, Section 1(d) of the new Articles. I recognize the great interest of some Special Professional Faculty in seeking these designations as soon as possible. At the same time, the process of evaluating and approving proposed designations—which will involve deans, departments, certain directors, the Provost’s Office, and/or other academic organizations, depending on the particulars of the case—must be fully developed so that what will likely be a substantial number of initial requests are evaluated in an appropriate and orderly manner. With the support of the Deans, I am committed to having this process developed by the Spring 2009 academic semester so that appropriate titles are in place by the start of the Fall 2009 academic semester. Special Professional Faculty will be notified of this process when it is established.

With the support of the Academic Council and as a continuation of the decennial review process, the Working Group set aside one aspect of the Academic Articles to evaluate separately due to its complex nature. This aspect of the Articles is the process by which teaching and research faculty can appeal negative decisions in reappointment, tenure, and promotion cases. As a result of its analysis of Notre Dame’s current process over the past several months, and its study of comparable processes at other institutions, the Working Group is finalizing a proposal for amending the appeals process. Their proposal may also have implications for the process by which reappointment, tenure, and promotion decisions are made. After consulting with the Working Group, deans, and others, we will develop a plan for soliciting faculty comments on the proposal. After these comments are collated and considered by the Working Group, the proposal will be submitted to the Academic Council for consideration in the same manner that the previous elements of the decennial review were submitted to the Council.

This announcement of the new Articles also provides occasion to announce a change in the nature of the *Faculty Handbook* and in the Provost’s Office website. In the past, the *Faculty Handbook* has been developed annually as a print resource and then distributed to faculty, academic administrators, and other members of the University community. Beginning with this academic year, the *Faculty Handbook* will be provided as an online resource with a web-based interface (facultyhandbook.nd.edu) and will contain links to the Academic Articles and other documents and policies concerning academic governance. There are several reasons for this change. First, producing the *Handbook* electronically instead of annually in paper form is more ecologically sound. Second, providing the information electronically also saves printing costs that have been incurred annually. Finally, whereas changes in policies and procedures could not be incorporated into the printed version of the *Handbook* except once a year, the web-based version of the *Handbook* can be amended as necessary, enabling us to keep the *Handbook*
current. As for the Provost’s Office website (provost.nd.edu), it has been redesigned for greater clarity and to provide you with more useful information about the office, the academy, and issues concerning academic governance. I am confident that the new approach to each of these resources will prove useful.

I hope your fall break was productive and rejuvenating. Best wishes for the remainder of the semester.

Yours truly,

[Signature]

Thomas G. Burish

cc: Rev. John I. Jenkins, C.S.C.